REMARKS

Applicants respectfully request reconsideration of this application. No claims

have been amended. Claims 2-3 and 26-27 have previously been cancelled without

prejudice. Therefore, claims 1, 4-25 and 28-36 are now presented for examination.

35 U.S.C. § 103 Rejection

Claims 1, 4, 6, 8-10, 13, 16, 18, 20-22, 25, 28, 30 and 32-34 stand rejected under

35 U.S.C. §103(a), as being unpatentable over Shrader et al., U.S. Patent No. 6,473,894

("Shrader") in view of Klemm et al. U.S. Patent No. 6,457,142 ("Klemm").

Shrader discloses "read[ing] test input file . . . [to] create URL test array" for

"testing of applets or application in a data processing system" (Fig. 3; Col. 1, lines 8-10;

Col. 4, lines 39-41). Shrader further discloses "URL test array is created by test/run

program *when it reads test input file . . . contain[ing] the URLs and parameters* for

testing, but *may not contain a number of times for repeating the test or execution*, which

may instead default to a predetermined number" (col. 4, lines 39-52; emphasis provided).

First, at best, Shrader discloses having an *input file to default to a predetermined number*

which is not the same as using <u>a loop command for repeating of instructions until an

endloop instruction</u> has occurred, as recited by claim 1.

Second, Shrader's "loop counter variable . . . [is] employed to *store the number of

times each source page has been reloaded* . . . [because] each source page is to be loaded

in sequence before any source page is reloaded" *after the creation of the URL test array*

using the "elements and entities within the test array" (Fig. 3; Col. 7, lines 12-15; Col. 7,

lines 25-28). Stated differently, Shrader's loop counter variable uses the elements and

entities of the already created test array to store the number of times each source page has

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been loaded. <u>Shrader</u> does not teach or reasonably suggest the <u>input file having a loop</u> <u>command</u> to <u>cause execution of the first program</u> including <u>repeating of instructions for a</u> <u>number of iterations until occurrence of an endloop instruction</u>, as recited by claim 1.

Third, as acknowledged by the Examiner, <u>Shrader</u> does not teach or reasonably suggest a <u>sleep command to cause execution of the first program to pause for a specified</u> <u>time</u> as recited by claim 1 (Office Action, mailed March 23, 2004, page 4).

Klemm discloses a *"periodic thread check . . .* that there are no suspended threads" (Fig. 8; col. 17, lines 32-39). First, the periodic thread check of Klemm is a *pre-test process* simply to determine whether "there was *previously* a *suspended thread* or an unexpired *probation* interval" *before the test is commenced* (Fig. 8; Col. 17, lines 32-39). Klemm does not teach or reasonably suggest the <u>input file having a sleep loop command</u> to cause execution of the first program <u>to pause the execution for a specified time</u>, as recited by claim 1.

Second, the periodic thread check is *to check* for suspended threads and unexpired probation intervals which is not the same as <u>to pause</u> the execution for a specified time, as recited by claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

With regard to claims 13 and 25, these claims contain limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 13 and 25 and their dependent claims.

Claims 7, 11, 19, 23, 31 and 35 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Shrader in view of Klemm further in view of Barskiy et al., U.S. Patent No. 6,205,412 ("Barskiy et al.").

Claims 5, 12, 17, 24, 29 and 36 stand rejected under 35 U.S.C. §103(a), as being

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unpatentable over Shrader in view of Klemm further in view of Logan et al., U.S. Patent No. 6,601,018 ("Logan").

With regard to claims 5, 7, 11-12, 17, 19, 23-24, 29, 31 and 35-36, these claims depend from one of independent claims 1, 13 and 25 and thus include the limitations of the independent claim from which they depend. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 5, 7, 11-12, 17, 19, 23-24, 29, 31 and 35-36.

Conclusion

Applicants submit that claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request that the rejections be withdrawn and the application be allowed.

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Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.
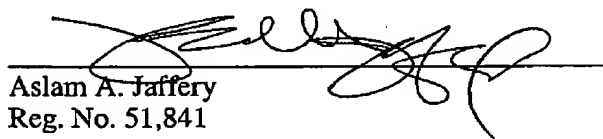
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: June 22, 2004

Aslam A. Jaffery
Reg. No. 51,841

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1030
(303) 740-1980

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